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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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MINTZ, LEVIN, COHN, FERRIS, GLOVSKY & POPEO, P.C.

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ONE FINANCIAL CENTER

BOSTON, MA 02111

EXAMINER

MCLEOD, MARSHALL M

ART UNIT

PAPER NUMBER

2157

MAIL DATE

DELIVERY MODE

04/17/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/816,445

Applicant(s)

HOFFMANN ET AL.

Examiner

MARSHALL MCLEOD

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. This Office action has been issued in response to amendment filed 02 January 2008. Claims 1, 5, 9, 10 and 11 have been amended. Applicants' arguments have been carefully and respectfully considered in light of the instant amendment, but are still not persuasive. Accordingly, this action has been made FINAL.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claim 9 is rejected under 35 U.S.C. 102(b) as being anticipated by Traversat et al. (Pub. No US 20020184357 A1), hereinafter Traversat.**

4. With respect to claim 9, Traversat discloses a message to include addressing information, wherein the addressing information is defined in accordance with a protocol and the protocol defines addressing information to include party information for the sending application and the receiving application ([147], lines 6-7; Figure 5), and the party information to include identification of a party that is a business party or an agency that is defined by a scheme ([148], lines 6-11); sending the message, from the sending application, according to the protocol ([150], lines 2-3); and receiving, at the receiving application, the message ([150], lines 2-3).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Traversat et al. (Pub. No US 20020184357 A1), hereinafter Traversat, in view of Szabo (Pub. No. US 20020138618 A1).**

7. With respect to claim 1, Traversat discloses a message to include a structured message header, wherein the structured message header is defined in accordance with a protocol, the structured message header comprises information related to at least one component from a set of components defined by the protocol, and the protocol defines the structured header to comprise information related to security for components of the message, ([0435], lines 1-9; [0437], lines 1-7). However, Traversat does not disclose a processing mode for the message. On the other hand, Szabo discloses a processing mode for the message, ([0120], lines 1-8).

It would have been obvious to a person having ordinary skill in the art at the time of the invention to combine the teachings of Traversat with the teachings of Szabo, because all messages have to be processed once they are received and have to instruct the recipient on how to process it.

8. Claims 2, 3, 4, 5, 6, 7, 8, 10, 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Traversat et al. (Pub. No US 20020184357 A1), hereinafter Traversat, in view of Szabo, (Pub. No. US 20020138618 A1) and further in view of Ringseth, Paul F. et al. (Pub. No. US 20030014733 A1), hereinafter Ringseth.

9. With respect to claim 2, the combination of Traversat and Szabo does not disclose a fault message component representing an error occurring at a messaging peer that generated the error. However, Ringseth discloses a fault message component representing an error occurring at a messaging peer that generated the error, ([0068], lines 1-8; [0069], lines 1-5; [0070], lines 1-3; [0074], lines 1-8). It would have been obvious to a person having ordinary skill in the art at the time of the invention to combine the teachings of Traversat and Szabo with the teachings of Ringseth, because adding a fault message component would help to speed up messages and prevent message failure.

10. With respect to claim 3, the claim is rejected for the same reasons as claim 2 above. Furthermore, Ringseth discloses a fault message that is defined to represent at least one error from a set of errors, 9[0071], lines 1-2).

11. With respect to claim 4, Traversat as modified discloses the security for components of the message defined to comprise: information related to a signature of the message; and information related to a signature of a payload of the message, if the message includes the payload, ([443], lines 6-8).

12. With respect to claim 5, Traversat does not disclose a message to include version information, wherein the version information indicates a protocol used to define the message. However, Szabo discloses a message to include version information, wherein the version information indicates a protocol used to define the message, ([104], lines 1-8). It would have been obvious to a person having ordinary skill in the art at the time of the invention to combine the teachings of Traversat with the teachings of Szabo, to have a message include version information. It would be obvious because defining a message will tell the receiver how to handle a received message and speed up message processing.

13. With respect to claim 6, Szabo discloses the version information includes a major version and a minor version, ([0094], lines 1-2; Figure 12).

14. With respect to claim 7, the combination of Traversat and Szabo does not disclose wherein the messaging component is operative to process the message if the major version is less than or equal to a major version for which the messaging component is configured. However, Ringseth discloses wherein the messaging component is operative to process the message if the major version is less than or equal to a major version for which the messaging component is configured, ([0055], lines 1-7). It would have been obvious to a person having ordinary skill in the art at the time of the invention to combine the teachings of Traversat and Szabo with the teachings of Ringseth. It would have been obvious to a person skilled in the art that processing a

message if the major version is less than or equal to a major version will tell the receiver how to handle a received message and speed up message processing.

15. With respect to claim 8, the claim is rejected for the same reasons as claim 7 above. Ringseth discloses wherein the messaging component is operative to process the message if the major version is less than or equal to a major version for which the messaging component is configured, (Ringseth [0055], lines 1-7).

16. With respect to claim 10, Traversat as modified discloses a message according to a class of messages, wherein the class of messages is one of a plurality of classes of messages that are defined by a protocol, ([0087], lines 1-4; [0378], lines 1-3).

17. With respect to claim 11, Traversat as modified discloses receiving a message, from the sending application, at a first component of the collaborative network; in response to the first component successfully receiving the message, the first component sending a transport level acknowledgement to the sending application; the first component modifying the message to include the first component on a hop- list in the message; the first component causing the message to be sent to the receiving application; in response to receiving an acknowledgement message, from a second component, indicating that the message has been received by the receiving application, the first component sending a transport level acknowledgement to the second component, ([0384], lines 1-6). Szabo also discloses the same ([0169], lines 1-6; [0170], lines 1-4).

18. With respect to claim 12, Traversat as modified discloses the first component sending the message to one of one or more components in the collaborative network, wherein each component is operative to: send a transport level acknowledgement, in response to successfully receiving the message; cause the message to be sent to the receiving application; include the component on the hop-list in the message, by modifying the message; if the component sends the message to the receiving application, generate the acknowledgement message, and send the acknowledgement message; and send a transport level acknowledgement in response to successfully receiving the acknowledgement message ([0384], lines 1-6; [0386], lines 1-6).

Response to Arguments

19. Applicant's arguments filed 02 January 2008 have been fully considered but they are not persuasive.

20. With respect to applicants' argument at the bottom of page 6 of the instant arguments, in regards to the rejection of claim 1. Applicant contends that none of the references relied upon by the examiner discloses or suggests at least the features "defining an application message having a structured application message header, the structured message header being defined in accordance with an application messaging protocol, the structured message header comprising one or more components defined by the protocol with each of the one or more components relating to a corresponding set of attributes of the message". The examiner respectfully disagrees, and refers applicant to the rejection of claim 1 above in conjunction with prior art

Traversat (Page 7; [0092], lines 1-9; i.e. which discloses an application message such as an instant message or email sent between applications). The examiner respectfully state to applicant that all messages are sent by some type of application.

21. With respect to applicants' argument at the bottom of page 7 of the instant arguments, in regards to the rejection of claim 1. Applicant contends that at no point does Traversat describe that the messages have structured headers defined in accordance with an application messaging protocol. The examiner respectfully disagrees and refers applicant to Traversat (Page 20; [0252], lines 1-5; i.e. which discloses an HTTP message, sent by a peer to peer platform (i.e. application)). The examiner respectfully state to applicant that an HTTP message has a structured header that is defined in accordance with HTTP.

22. With respect to applicants' argument at the bottom of page 8 of the instant arguments, in regards to the rejection of claim 1. Applicant contends that Szabo fails to disclose or suggest at least the features of "defining an application message having a structured application message header, the structured message header being defined in accordance with an application messaging protocol, the structured message header comprising one or more components defined by the protocol with each of the one or more components relating to an associated set of attributes of the message,". The examiner respectfully disagrees and refers applicant to Szabo (Page 11; [0172], lines 1-3; i.e. discloses a TCP/IP message header. The header in a TCP/IP message is a structured header that is defined in accordance with TCP/IP). The examiner also respectfully reminds applicant that claim 1 is a 35 U.S.C. 103(a) rejection and that Szabo is

combined with Traversat and must be viewed together as combined. Hence, the prior art Traversat (Page 20; [0252], lines 1-5; i.e. which discloses an HTTP message, sent by a peer to peer platform (i.e. application)) addresses the limitation that the messages have structured headers defined in accordance with an application messaging protocol.

23. With respect to applicants' argument at the top of page 9 of the instant arguments, in regards to the rejection of claim 1. Applicant contends that Szabo does not "disclose processing mode for a message". The examiner respectfully disagrees and refers applicant to Szabo (Page 10; [0146]; [0147], lines 1-4; i.e. which discloses message processing, it is obvious that once the message processing begins the message is processed in some mode).

24. With respect to applicants' argument at the bottom of page 9 of the instant arguments, in regards to the rejection of claims 2-12. Applicant contends that Ringseth's messages include features added without prior agreement between the communicating parties. In other words, the features/properties/attributes of Ringseth's messages are not organized in a structured manner defined in accordance with some protocol. The examiner respectfully disagrees and refers applicant to Ringseth (Page 10; [0056], lines 1-9; i.e. which discloses that mechanism for extending a message in a decentralized and modular way without prior knowledge between the communicating parties and that the typical examples of extensions that can be implemented as header entries and further states that the header element is encoded as the first immediate child element of the SOAP Envelope XML element. All immediate child elements of the Header element are called header entries. In other words, SOAP has a structured header in accordance

with the SOAP application messaging protocol that has child elements of that header that can be added as features without prior agreement between the communicating parties). The examiner also respectfully reminds applicant that claims 2-12 are rejected under 35 U.S.C. 103(a) and that the combination of Traversat, Szabo and Ringseth must be viewed together as combined. Hence, the prior art Traversat (Page 20; [0252], lines 1-5; i.e. which discloses an HTTP message, sent by a peer to peer platform (i.e. application)) addresses the limitation that the messages have structured headers defined in accordance with an application messaging protocol.

25. With respect to applicants' arguments at the top of page 10 of the instant arguments, in regards to the rejection of claims 5, 9, 10 and 11. Applicant contends that the combination of Traversat, Szabo and Ringseth does not disclose "defining an application message having a structured application message header, the structured message header being defined in accordance with an application messaging protocol, the structured application message header comprising one or more components defined by the protocol with each of the one or more components relating to a corresponding set of attributes of the message", or similar language. The examiner respectfully disagrees and refers applicant to the above prior rejections of claims 5, 9, 10 and 11 in conjunction with prior art Traversat (Page 7; [0092], lines 1-9; i.e. which discloses an application message such as an instant message or email sent between applications). The examiner respectfully state to applicant that all messages are sent by some type of application. The examiner also refers to Traversat (Page 20; [0252], lines 1-5; i.e. which discloses an HTTP message, sent by a peer to peer platform (i.e. application)). The examiner respectfully state to applicant that an HTTP message has a structured header that is defined in

accordance with HTTP. Further, the examiner also respectfully reminds applicant that claims 5, 10 and 11 are rejected under 35 U.S.C. 103(a) and that the combination of Traversat, Szabo and Ringseth must be viewed together as combined.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARSHALL MCLEOD whose telephone number is (571)270-3808. The examiner can normally be reached on Monday - Thursday 6:30 a.m-4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Marshall McLeod 4/3/2008

/Yves Dalencourt/

Primary Examiner, Art Unit 2157